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February 5, 2010

BY ECF AND HAND

Hon. Marilyn D. Go, U.S.M.J.
United States Courthouse
225 Cadman Plaza East, Room 1214S
Brooklyn, New York 11201

Re: Weiss v. National Westminster Bank Plc, 05-cv-4622 (DGT) (MDG)
Applebaum v. National Westminster Bank Plc, 07-cv-916 (DGT) (MDG)

Dear Magistrate Judge Go:

I am writing on behalf of defendant National Westminster Bank Plc ("NatWest") to request that the Court sign the enclosed Stipulation and Order, which has been executed on behalf of all parties.

The enclosed Stipulation and Order is intended to address concerns about the confidentiality interests of NatWest and Royal Bank of Scotland plc ("RBS") customers, and of other banks with which NatWest or RBS had a clearing or correspondent relationship, and which have no relation to the pending lawsuits.

For the reasons outlined in the enclosed Stipulation and Order, NatWest has agreed to produce to plaintiffs certain backup documentation for transactions involving individuals or entities from the list plaintiffs served on NatWest on November 13, 2008 pursuant to the Court's September 26, 2008 Minute Order (the "November 13 list"). Certain of those transactions also involve counterparties that are customers of NatWest or RBS, or involve banks with which NatWest or RBS had a clearing or correspondent relationship, but which are not identified on the November 13 list.

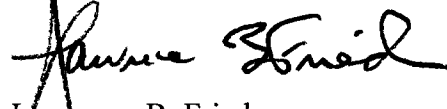
The parties request that the Court approve their Stipulation and Order to confirm that NatWest is disclosing the information relating to customers of NatWest and RBS, and the

Magistrate Judge Marilyn D. Go, p. 2

banks with which NatWest or RBS had a clearing or correspondent relationship, pursuant to the Court's prior rulings limiting NatWest's reliance upon United Kingdom bank secrecy restrictions in responding to plaintiffs' discovery requests.

The enclosed Stipulation and Order closely tracks the language of the Stipulation and Order that Your Honor approved on July 21, 2009 to address similar concerns about the confidentiality interests of NatWest customers who have no relation to the pending lawsuits. I enclose for Your Honor's reference a copy of the July 21, 2009 Stipulation and Order as well.

Respectfully,



Lawrence B. Friedman

Enclosures

cc: All Counsel of Record

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ JUL 28 2009 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X
BROOKLYN OFFICE

-----X
TZVI WEISS, *et al.*

Plaintiffs,

- against -

NATIONAL WESTMINSTER BANK PLC,

Defendant.

STIPULATION
AND ORDER

05-cv-4622 (CPS) (MDG)

-----X
-----X
NATAN APPLEBAUM, *et al.*,

Plaintiffs,

-against-

NATIONAL WESTMINSTER BANK PLC,

Defendant.

07-cv-916 (CPS) (MDG)

-----X
STIPULATION AND ORDER

Plaintiffs, by and through their counsel, and Defendant, by and through its counsel, hereby stipulate as follows:

WHEREAS, Defendant objected based upon United Kingdom bank secrecy restrictions to the production of certain information requested by the Weiss Plaintiffs, including under the principles of banker-client confidentiality under English law articulated in Tournier v. National Provincial and Union Bank of England, [1924] 1 KB 461 (C.A.), and its progeny;

WHEREAS, the Court overruled Defendant's bank secrecy objections in its May 14, 2007 Memorandum and Order with respect to certain of Plaintiffs' requests;

WHEREAS, the Court directed in its September 26, 2008 Minute Order that Defendant produce certain documents in response to Plaintiffs' final list of subject entities and persons that Plaintiffs served on Defendant on November 13, 2008;

WHEREAS, pursuant to Plaintiffs' requests Defendant has produced the document bates-stamped NW 162252 through NW 162261, omitting based upon banker-client confidentiality principles the name and account information of a customer and the names of other entities not identified on Plaintiffs' list of subject entities and persons that Plaintiffs served on Defendant on November 13, 2008;

WHEREAS, pursuant to Plaintiffs' requests Defendant has produced the document bates-stamped NW 162227 through NW 162234, omitting based upon banker-client confidentiality principles the name and account information of a customer that transferred 50,000 GBP to Friends of Al Aqsa, and the names of other entities not identified on Plaintiffs' list of subject entities and persons that Plaintiffs served on Defendant on November 13, 2008;

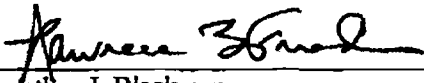
WHEREAS, Plaintiffs contend that, based upon the Court's May 14, 2007 and September 26, 2008 Orders, Defendant is required to produce to Plaintiffs versions of the documents bates-stamped NW 162252 through NW 162261 and NW 162227 through NW 162234 without redaction of the name of the subject customers;

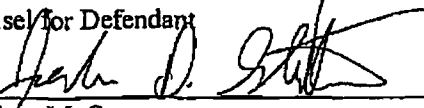
WHEREAS, Defendant preserves its objection to the production of such information in light of the principles of banker-client confidentiality under English law articulated in Tournier;

NOW, THEREFORE, it is hereby stipulated that Defendant will produce to Plaintiffs a new version of the documents bates-stamped NW 162252 through NW 162261 and NW 162227 through NW 162234, without redaction of the name of the subject customers.

This stipulation does not serve as a waiver of Defendant's right to object to the relevancy of any further requests for information related to the subject customer(s). Plaintiffs stipulate that they do not intend to seek further discovery as to the subject customer(s) absent a good-faith belief that the subject customer(s) is relevant to these lawsuits. For this purpose, a relevant customer will appear on a terrorist list published by the U.S., Bank of England, European Union, United Nations, or Israel, or have some connection to an individual or entity appearing on one or more of the lists beyond the fact that its name appears in a document that refers to such an individual or entity.

Dated: July 13, 2009

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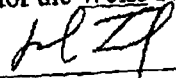
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Counsel for the Applebaum Plaintiffs

SO ORDERED:

Dated: July 21, 2009 s/Marilyn D. Go
Marilyn D. Go (U.S.M.J.) A